

TACKLING HIV POLICY ISSUES: A PROCESS AND NEXT STEPS

APRIL 2003

INTRODUCTION

Since 1988, the AIDSNET Council comprised of local public health officials has met regularly with Department of Health staff to coordinate services and policies for HIV prevention and care in Washington State.

In 2000, the AIDSNET Council appointed a work group to review the AIDS Omnibus Law (Chapter 70.24 RCW, Control and Treatment of Sexually Transmitted Diseases). Its intent was to look at this chapter of the RCW solely through the "lens" of public health and recommend ways to bring these laws up to date with current public health practice - for example, by addressing other bloodborne infections. The group completed its draft work in spring 2002. Other recent looks at the state of HIV policy include the reports from the 2001 HIV Policy Summit and HIV Prevention Study Committee (March 2002).

As the key statewide agencies, the Washington State Department of Health (DOH) and the State Board of Health (SBOH) were asked by the Washington State Association of Local Public Health Officials (WSALPHO) to "consider a process to update policies, rules, and/or regulations concerning HIV/AIDS and other bloodborne infections to reflect advances in the science of disease prevention and current best public health practices."

The two agencies consulted with key stakeholders regarding the proposed process and are now moving to implementation. Early discussions with stakeholders about timing, scope and strategy should help ensure that all interested parties have ample opportunity for timely input into the development of any proposed statutory, rule or administrative policy initiatives.

PROCESS

A number of policy issues will be raised that can be tackled in several ways. Options include: (1) changing existing procedures; (2) amending existing Board rules developed under the 1988 AIDS Omnibus Law; (3) passing new types of rules under existing SBOH or DOH statutory authorities; and (4) asking the Legislature to amend the AIDS Omnibus Act or otherwise change existing statute. Some changes could probably be addressed relatively easily in rule without much controversy. Others will require extensive discussions because of complexity or controversy.

To provide an early framework for discussion, the AIDSNET Council, in consultation with DOH, developed seven issue papers. These documents are available in draft form while local public health officials consider them further. The Council, the Public Health Executive Leadership Forum, or WSALPHO will soon transmit final versions to the Board and the Department.

These issue papers—along with the HIV Prevention Study and the HIV Policy Summit reports and any other work submitted by other stakeholders—can provide a starting point for discussion. DOH and SBOH recognize that the AIDSNET issue papers

represent one take on the policy issues identified from the perspective of one stakeholder group, and that other stakeholders will bring other perspectives to the table.

DOH and SBOH will invite a broad range of stakeholders to develop additional issues to be considered that are not included in the AIDSNET issue papers. These stakeholders include, but are not limited to, the Governor's Advisory Council on HIV/AIDS, the Lifelong AIDS Alliance, the Department of Corrections and other state agencies, sanitation workers, advocates for people with hepatitis C, professional associations, local health jurisdictions and others.

DOH and SBOH will then conduct an initial sort to determine both the policy issue and a possible course of implementation—identifying those that might be addressed quickly in rule, those that could be addressed in rule but are likely to be controversial, and those that would require new legislation. Stakeholder groups will then scrutinize this initial analysis and will have the ability to shape the proposed process before it goes forward.

POLICY CHANGES: METHODS AND TIMELINE	
CHANGES IN AGENCY PROCEDURES (LOCAL AND STATE)	Ongoing
SBOH / DOH ABBREVIATED WAC RULES: non-controversial items that can be handled in some kind of abbreviated rule making process	04/03 – 12/03
SBOH / DOH WAC RULES: items that are substantive, controversial or both that necessitate a full rules process	05/03 – 12/04
DOH STATUTORY CHANGES: new Revised Code of Washington (RCW) changes	06/03 – 04/04 (2005 legislative session)

STEPS

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| ❑ Air this document to key stakeholders: | ASAP |
| ❑ Gather all input: | By March 28, 2003 |
| ❑ Finalize process: | By March 31, 2003 |
| ❑ Begin to implement process: | April 1, 2003 |
| ❑ Letter to stakeholders inviting issues: | By May 1, 2003 |
| ❑ Gather all input: | By June 30, 2003 |
| ❑ Summarize and sort issues: | By July 31, 2003 (tentative) |
| ❑ Stakeholder consultation meetings: | August – October 2003 |